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*Attorneys for Defendants*  
*Royce Plowman and Madison Smith*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

EDWARD KELLER, JR., individually,  
Plaintiff,

vs.

ROYCE PLOWMAN, individually, MADISON  
SMITH, individually; DOES I through X,  
inclusive; ROE CORPORATIONS XI through  
XX, inclusive,  
Defendants.

Case No. 2:20-cv-00284-JCM-VCF

**STIPULATION AND ~~PROPOSED~~ ORDER  
TO EXTEND DISCOVERY DEADLINES**

**(FIRST REQUEST)**

IT IS HEREBY STIPULATED AND AGREED, between the parties and their attorneys of record, that **the current discovery deadlines be extended approximately sixty days (60) days** pursuant to Local Rule 26-1(b).

**I.**

**DISCOVERY COMPLETED TO DATE**

1. The parties have conducted the FRCP 26.1 Early Case Conference.
2. The parties have produced their respective Lists of Witnesses and Documents, and supplements thereto pursuant to FRCP 26(a).
3. Plaintiff has propounded discovery to Defendants.
4. Defendants have propounded discovery to Plaintiff.
5. Plaintiff has responded to Defendants' discovery requests.

7. Defendants have responded to Plaintiff's discovery requests.
8. Defendants have taken the deposition of Plaintiff Edward Keller, Jr. on November 3, 2020.
9. Plaintiff is scheduled to take the depositions of Defendants MADISON Smith and ROYCE Plowman on December 7, 2020.
10. Plaintiff has participated in an Independent Medical Examination on November 1, 2020.

## II.

### **DISCOVERY THAT REMAINS TO BE COMPLETED**

1. Deposition of Defendant Madison Smith.
2. Deposition of Defendant Royce Plowman.
3. Deposition(s) of Plaintiff Edward Keller Jr.'s treating physicians.
4. Deposition of other percipient witnesses.
5. Initial expert disclosures.
6. Rebuttal expert disclosures.
7. Depositions of experts.
8. Issuing subpoenas to additional third-parties, including Edward Keller Jr.'s medical providers (if any).
9. Additional written discovery (if necessary).
10. Any remaining discovery the parties deem relevant and necessary as discovery continues.

## III.

### **REASONS THE PARTIES REQUEST TO EXTEND THE DISCOVERY DEADLINES**

Good cause exists for an extension due to the COVID-19 pandemic and the holidays, as the Parties have not been able to conduct all necessary depositions, obtain relevant medical records, or have potential expert witnesses review all relevant records and documents to complete reports. In addition, the Parties are discussing settlement and are looking to avoid costs of retaining, disclosing, and deposing experts to facilitate settlement. Therefore, the Parties

request additional time to complete discovery.

#### IV.

##### CURRENT DISCOVERY DEADLINES AND TRIAL DATE

Last day to amend pleadings or add parties:	December 1, 2020.
Initial expert disclosure:	December 1, 2020.
Rebuttal expert disclosures:	February 1, 2021.
Discovery cut-off:	March 1, 2021.
Dispositive motions:	March 31, 2021.
Trial:	TBD.

#### V.

##### PROPOSED DISCOVERY DEADLINES AND TRIAL DATE

Last day to amend pleadings or add parties:	December 1, 2020.
Initial expert disclosure:	February 1, 2021.
Rebuttal expert disclosures:	April 2, 2021.
Discovery cut-off:	April 30, 2021.
Dispositive motions:	May 31, 2021.
Trial:	TBD.

#### VI.

##### CURRENT TRIAL DATE

There is currently no trial date set in this case. Therefore, the requested extension of the aforementioned deadlines **will not affect** the trial in this matter.

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The parties represent this Stipulation is sought in good faith and not interposed for delay or any other improper purpose.

DATED this 1<sup>st</sup> day of December 2020.

DATED this 1<sup>st</sup> day of December 2020.

**HICKS & BRASIER, PLLC**

**TYSON & MENDES LLP**

/s/ Steven M. Rogers  
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*Attorneys for Defendants Royce Plowman and  
Madison Smith*

**ORDER**

Based upon the Stipulation of the parties hereto, and with good cause appearing:

**IT IS HEREBY ORDERED** that the discovery deadlines are extended as follows:

Last day to amend pleadings or add parties: December 1, 2020.

Initial expert disclosure: February 1, 2021.

Rebuttal expert disclosures: April 2, 2021.

Discovery cut-off: April 30, 2021.

Dispositive motions: May 31, 2021.

Trial: To be Determined.

IT IS FURTHER ORDERED, that an amended scheduling order will not be issued. This Stipulation will take the place of the amended scheduling order.

**IT IS SO ORDERED.**

DATED this 2<sup>nd</sup> day of December 2020.

  
UNITED STATES MAGISTRATE JUDGE

Joint Pretrial Order -June 30, 2021.

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.